

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

ENCO SYSTEMS, INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:19-cv-00039-SNLJ
)	
DaVINCIA, LLC,)	
)	
Defendant.)	

**ENCO’S NOTICE OF SUPPLEMENTAL AUTHORITY
RELATING TO DaVINCIA’S PENDING MOTION TO DISMISS**

Plaintiff ENCO refers the Court to *Carrum Technologies, LLC v. BMW of North America, LLC*, case no. 18-CV-01645-RGA, 2019 WL 1779863 (D. Del. Apr. 23, 2019) (denying motion to dismiss case asserting vehicle adaptive cruise control patent):

Far from an abstract idea, the claims are directed to a tangible system, or a method of using such a system, with an observable real-world impact. . . . A method of using a physical system is not a “mental process.” The mere fact that humans have an alternative method of achieving the goals of the claims using sensory perception, mental processing, and physical braking does not foreclose the claims' patent eligibility.

Id., 2019 WL 1779863 at *3 (attached as Exhibit A hereto).

Respectfully submitted,

August 6, 2019

/s/ Bradley L. Smith
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CERTIFICATE OF SERVICE

The undersigned certifies that on this 6th day of August, 2019, a true and correct copy of the foregoing was filed with the Court using the CM/ECF system and service upon all participants in the case who are CM/ECF users will be accomplished by the operation of that system.

/s/Bradley L. Smith

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